

REMARKS

Independent claim 1, and dependent claims 2 and 10, have previously been allowed. The essence of dependent claims 12-14 has been incorporated into base claim 11, which remains the only claim in contest. Claim 11 is directed to the embodiment of applicant's unique door stay, shown in FIGS. 8-10.

Such embodiment relies upon openings in each arm member of the plush toy, e.g. a teddy bear, that are elasticized to fit over the door handles on opposite sides of the door and thereafter return to their original size to provide a snug fit; see page 9, lines 6-11 of the specification.

Claim 11, as amended, stresses that the applicant's door stay assumes the form of a plush toy. Claim 11 also emphasizes the elasticized openings, in each arm of the plush toy that fit over the door handles on opposite sides of the door to which the door stay is secured. The arms suspend the body of the plush toy, which possesses sufficient thickness to restrict the pivoting movement of the door. The concluding clause of claim 11, patterned after allowed claim 1, points out that the thickness of the body (of the door stay) precludes the door from closing to a point at which the door is contained within the door frame (emphasis added).

A minor change has been made to allowed claim 2, for consistency with claim 1. A minor change has been made in claim 11 to overcome an objection raised by the Examiner in clause 2 of the Office Action.

Radcliff, Zacherl, and Schjoneman, taken singly or in any combination suggested within the cited patents, do not render obvious applicant's unique door stop, as expressed in claim 11. Radcliff discloses a door latch holder designed to be mounted on the two knobs of a door (by parts 17, 19) and having a central portion 11 designed to overlie latch 7. In the retracted position, the door latch will be retracted into the door so that the door may be opened, and closed, without twisting one of the knobs. A slot 15 in the central section allows stuffing 23 to be added, or removed, from the chamber. The thickness of the body allows frictional retention within the door frame, as noted in column 2, lines 43-49, which is in stark contrast to applicant's stay which precludes the door from closing... Also, no disclosure of a toy, such as a plush toy, with an enlarged body, is found in Radcliff.

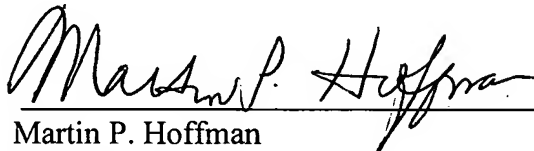
Zachel discloses a door stop comprising an elongate flexible body 23 with front and rear appendages 14, 14a. The door stop is held in fixed position on the opposite sides of the door by suction cups 16. A plush toy, with an enlarged body, is not disclosed.

Schjoneman discloses a flexible rubber-like member, in the shape of a dumbbell with a pair of holes 18, 20, at either enlarged end, to fit about the opposed handles on opposite sides of the door. No mention is made of a plush toy, with an enlarged body, suspended to preclude closing of the door to a position without a door frame.

Assuming arguendo that the three disparate citations could be combined in some manner, the resultant "reference" does not render obvious applicant's door stay as expressed, with clarity and specificity, in independent claim 11, as revised. Since no new matter has been introduced by the instant Amendment, and no new issue has been raised, attorney for applicant urges that the instant Amendment be entered, and considered favorably. Prompt allowance of claim 11, as revised, is in order.

Respectfully submitted,

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Martin P. Hoffman

Reg. No. 22,261

HOFFMAN, WASSON & GITLER, PC
2461 South Clark Street - Suite 522
Arlington, VA 22202
703.415.0100
Customer No. 20741

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